



A Bill

To provide for the execution of the twenty-seventh Article of the Treaty of Amity, Commerce and Navigation made with Great Britain.

[As amended in Committee of the whole House, on the 2d of April 1800.]

1 **W**HEREAS, by the twenty-seventh article of the Treaty of
2 Amity, Commerce and Navigation between the United States and his
3 Britannic Majesty, it is agreed, that his Majesty and the United States,
4 on mutual requisitions, by them respectively, or by their respective
5 ministers or officers authorized to make the same; will deliver up to
6 justice all persons, who, being charged with murder or forgery, com-
7 mitted within the jurisdiction of either, shall seek an asylum within any
8 of the countries of the other, provided that this shall only be done on
9 such evidence of criminality, as, according to the laws of the place
10 where the fugitive or person so charged shall be found, would justify
11 his apprehension and commitment for trial, if the offence had there
12 been committed; and that the expense of such apprehension and deli-
13 very, shall be borne and defrayed by those who make the requisition
14 and receive the fugitive.

1 **S**EC. 1. **B**E it therefore enacted by the Senate and House of Repre-
2 sentatives of the United States of America, in Congress assembled, That
3 in case requisition shall at any time be made in pursuance of, and ac-
4 cording to said article, for the delivery of any person charged with

5 murder or forgery committed within the jurisdiction of his Britannic
6 Majesty, it shall be lawful for the Secretary of State, under the direc-
7 tion of the President of the United States, by warrant under his hand
8 and seal, to make known that such requisition has been made, and to
9 signify to the judicial and executive officers of the United States, that
10 they govern themselves accordingly, and that, according to their res-
11 pective duties, they aid and assist in apprehending the person so charged,
12 and in committing such person for the purpose of being delivered up to
13 justice, according to the provisions in the said article. Whereupon, it
14 shall be lawful for any judge or justice of any court of the United States,
15 to examine upon oath, any person or persons touching such charge,
16 and upon such evidence of criminality as, according to the laws of the
17 place where the fugitive or person so charged shall be found, would justify
18 his apprehension and commitment for trial, if the offence had been there
19 committed, it shall be lawful for such judge or justice, to commit the
20 person so charged to prison, there to remain until thence delivered, ac-
21 cording to this act. The testimony upon which such person shall be
22 committed shall be taken in writing, and transmitted to the Secretary
23 of State, who shall lay the same before the President of the United
24 States, to enable him to decide on the requisition made as aforesaid; and
25 if, in the opinion of the President, the person so committed ought not
26 to be delivered up, to the person making such demand, the same shall
27 be signified to the judge or justice by whom he was committed, who shall
28 proceed in the case according to law; and if it shall be the opinion
29 of the President, that the person so committed ought to be delivered
30 up on the requisition so made, as aforesaid, he shall signify his opinion
31 to the Secretary of State: and thereupon it shall be lawful for the Se-

32 cretary of State, by warrant under his hand and seal, to direct the
33 person so committed, to be delivered to such person or persons, as shall
34 have been authorized on the part of his Britannic Majesty to receive
35 the person so committed, and convey such person to the British Domi-
36 nions, to be tried for the offence with which such person shall have been
37 so charged ; and if the person so charged, shall escape out of any custo-
38 dy to which he shall be committed as aforesaid, it shall be lawful to take
39 such person in the same manner as any person charged with an offence
40 against the United States may be re-taken upon an escape, so that such
41 person so charged as aforesaid, may be effectually delivered up to jus-
42 tice, according to the true intent and meaning of the said article of
43 the Treaty aforesaid.

1 SEC. 2. *And be it further enacted,* That this act shall continue in
2 force so long as the said article of the Treaty aforesaid, between the
3 United States and his Britannic Majesty shall continue in force, and
4 no longer.